

# Court of Appeals, State of Michigan

## ORDER

People of MI v Dwight Darnell Tyler Jr

Docket No. 273886

LC No. 05-025868-FH

Alton T. Davis  
Presiding Judge

William C. Whitbeck, CJ

Bill Schuette  
Judges

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The Court orders, pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the matter is REMANDED for resentencing. Defendant's sentences for carrying a concealed weapon, MCL 750.227, and possession of a firearm during the commission of a felony, MCL 750.227b, should have been imposed to run concurrently. *People v Wyatt*, 470 Mich 878; 693 NW2d 143 (2004); *People v McGrady*, 213 Mich App 474; 540 NW2d 718 (1995). In all other respects, the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR - 9 2007  
Date

*Sandra Schultz Mengel*  
Chief Clerk